

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA
- against -

ORDER OF JUDICIAL REMOVAL

BRENDA LAVERTY,

Criminal Docket No. 21 Cr. 189 (JPO)

Defendant.

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Upon the application of the United States of America, by Andrew Jones, Assistant United States Attorney, Southern District of New York; upon the Factual Allegations in Support of Judicial Removal; upon the consent of Brenda Lavery (the “defendant”); and upon all prior proceedings and submissions in this matter; and full consideration having been given to the matter set forth herein, the Court finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native and citizen of Ireland.
3. On or about August 19, 2024, the defendant was the defendant was paroled into the United States for the purpose of criminal prosecution, pursuant to Section 212(d)(5) of the Immigration and Nationality Act of 1952, as amended, (“Act” or “INA”).
4. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in the United States District Court, Southern District of New York, of the following offense: Conspiracy to Commit Wire Fraud in violation of 18 U.S.C. § 1349.
5. A total maximum sentence of 20 years imprisonment may be imposed for the above-mentioned offense.

6. The defendant is subject to removal from the United States pursuant to: (1) Section 212(a)(7)(A)(i)(I) of the Act, 8 U.S.C. § 1182(a)(7)(A)(i)(I), as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations issued by the Attorney General under Section 211(a) of the Act; and (2) Section 212(a)(2)(A)(i)(I) of the Act, 8 U.S.C. § 1182(a)(2)(A)(i)(I), as an alien convicted of a crime involving moral turpitude (other than a purely political offense) or an attempt or conspiracy to commit such a crime.
7. The defendant has waived her right to notice and a hearing under Section 238[(d)](c) of the Act, 8 U.S.C. § 1228[(d)](c).
8. The defendant has waived the opportunity to pursue any and all forms of relief and protection from removal.
9. The defendant has designated Ireland as the country for removal pursuant to Section 240(d) of the Act, 8 U.S.C. § 1229a(d).

WHEREFORE, IT IS HEREBY ORDERED, pursuant to Section 238(c) of the Act, 8 U.S.C. § 1228(c), that the defendant shall be removed from the United States promptly upon her release from confinement, or, if the defendant is not sentenced to a term of imprisonment, promptly upon her sentencing, and that the defendant be ordered removed to Ireland.

Dated: Jan. 15, 2025
New York, New York


HONORABLE J. PAUL OETKEN
UNITED STATES DISTRICT COURT JUDGE